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13 Attorneys for Defendants
14 CITY OF SAN BUENAVENTURA (erroneously
15 sued herein as separate defendants "The City of
16 San Buenaventura" and "The San Buenaventura
17 Police Department") and OFFICER ERIC JACKSON

18 UNITED STATES DISTRICT COURT
19 FOR THE CENTRAL DISTRICT OF CALIFORNIA

20 GABRIEL AMARO, an individual,
21
22 Plaintiff,
23 v.

24 THE CITY OF SAN
25 BUENAVENTAURA, THE SAN
26 BUENAVENTURA POLICE
27 DEPARMENT, OFFICER ERIC
28 JACKSON, and DOES 1 – 10,
Inclusive,
Defendants.

Case No.: CV12-06735-PSG

**FEDERAL RULES OF CIVIL
PROCEDURE 26(f) REPORT**

Scheduling Conference

Date: February 11, 2013
Time: 2:00 pm
Dept: 880 (Roybal)

TO THE COURT:

Pursuant to Federal Rule of Civil Procedure 26(f), Local Rule 26-1 and the Court's Order Setting Scheduling Conference, plaintiff GABRIEL AMARO, by and through his attorneys of record, L. Christopher Hinkle, and defendants CITY OF SAN

1 BUENAVENTURA and OFFICER ERIC JACKSON, by and through their attorneys of
2 record, the Office of the City Attorney of the City of San Buenaventura, hereby submit
3 the following FRCP 26(f) Report (including information required by Local Rule 26-1
4 and the Court's Order Setting Scheduling Conference).

5 **FRCP 26(f)(3) DISCOVERY PLAN**

6 **A. The FRCP 26(a)(1) Initial Disclosures**

7 The initial disclosures required by FRCP(a)(1) will be made by December 17,
8 2012.

9 **B. Discovery**

10 Discovery is required regarding all issues in this case, including, but not limited
11 to, the plaintiff's liability and damages claims, and the defendant's denials and
12 affirmative defenses. Written discovery will be served by January 22, 2013. Medical
13 records subpoenas will be issued by March 4, 2013. It is anticipated that the parties will
14 be prepared to conduct depositions in May and June, 2013. Independent medical
15 examinations (orthopedic and psychiatric) will be done in the same time frame. It is
16 anticipated that expert disclosures will be made in July, 2013.

17 **C. Electronically Stored Information**

18 It is unknown at this time whether there are any significant electronically stored
19 information issues involved in this case.

20 **D. Privilege Issues**

21 It is anticipated that privilege issues may be raised regarding police personnel and
22 investigation records.

23 **E. Discovery Limitations**

24 It is unknown at this time whether any changes should be made to the FRCP
25 limitations on discovery.

26 **F. Other Orders**

27 The defendants anticipate filing a motion for summary judgment pursuant to
28 FRCP 56. It is anticipated that the defendants will be prepared to file such a motion in

1 July, 2013 with a hearing date in August, 2013. Both sides anticipate that discovery
2 motions may also be necessary.

3 **LOCAL RULE 26-1 CONFERENCE OF PARTIES REPORT**

4 **(a) Complex Cases** – This is not a complex case requiring the procedures of the
5 Manual for Complex Litigation.

6 **(b) Motion Schedule** -- The defendants anticipate filing a motion for summary
7 judgment pursuant to FRCP 56. It is anticipated that the defendants will be prepared to
8 file such a motion in July, 2013 with a hearing date in August, 2013. Discovery
9 motions may also be necessary.

10 **(c) Settlement** -- The parties have selected Settlement Procedure No. 2; see the
11 concurrently submitted "Request: ADR Procedure Selection" form (ADR-01) and
12 "Order / Referral to ADR" (ADR-12).

13 **(d) Trial Estimate** – Five to seven days.

14 **(e) Additional Parties** – No additional parties are currently anticipated.

15 **(f) Expert Witnesses** – Both sides anticipate using medical and police practices
16 experts.

17 Dated: December 11, 2012

18 OFFICE OF THE CITY ATTORNEY
19 CITY OF SAN BUENAVENTURA

20 By: 

21 Andy H. Viets
22 Senior Assistant City Attorney
23 Attorneys for Defendants
24 CITY OF SAN BUENAVENTURA
25 and OFFICER ERIC JACKSON

26 Dated: December ____, 2012

27 HINKLE LAW FIRM

28 By: _____

L. Christopher Hinkle
Attorney for Plaintiff
GABRIEL AMARO

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Dated: December __, 2012

OFFICE OF THE CITY ATTORNEY
CITY OF SAN BUENAVENTURA

By: _____

Andy H. Viets
Senior Assistant City Attorney
Attorneys for Defendants
CITY OF SAN BUENAVENTURA
and OFFICER ERIC JACKSON

Dated: December 3, 2012

HINKLE LAW FIRM

By: _____

L. Christopher Hinkle
Attorney for Plaintiff
GABRIEL AMARO